

substantially comprise ALCOGUM having the CAS No. assigned to “ethyl acrylate-methacrylic acid polymer,” would imply improper use of the trademark ALCOGUM, and the Examiner has no basis for such assertion. It is well understood among those persons of ordinary skill in the art in this industry that ALCOGUM L344, ALCOGUM SL290, and ALCOGUM SL117 would all comprise the base product ALCOGUM having the CAS No. for “ethyl acrylate-methacrylic acid polymer.” There are no separate CAS Nos. for ALCOGUM L344, ALCOGUM SL290 or ALCOGUM SL117, other than the CAS No. for ALCOGUM.

Applicant appreciates the conscientiousness of the Examiner but the Examiner should not require proof that the trademark owner is not misusing its trademarks. By the very definition of proper trademark usage, when ALCOGUM has the CAS No. for “ethyl acrylate-methacrylic acid polymer,” products using the trademark ALCOGUM would comprise “ethyl acrylate-methacrylic acid polymer,” because ALCOGUM is the trademark, that is, the call name or adjective or “brand,” for the generic product “ethyl acrylate-methacrylic acid polymer” that is available from the trademark owner.

The Examiner is requested to reconsider his rejections and to allow the application to proceed to issue.

Respectfully submitted,

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